

United States District Court
for
Middle District of Tennessee

Report on Offender Under Supervision

Name of Offender: David Wayne Porter

Case Number: 3:01-00167

Name of Judicial Officer: The Honorable William J. Haynes, Jr., Chief U.S. District Judge

Date of Original Sentence: January 31, 2003

Original Offense: 21 U.S.C. § 841(a)(1) Possession with Intent to Distribute LSD, MDMA, and Marijuana;
18 U.S.C. § 924(c) Possession of Firearm in Furtherance of Drug Trafficking; and 18 U.S.C § 922(g)(1)
Felon in Possession of Firearm

Original Sentence: 137 months' custody followed by 5 years' supervised release

Type of Supervision: Supervised Release

Date Supervision Commenced: November 7, 2011

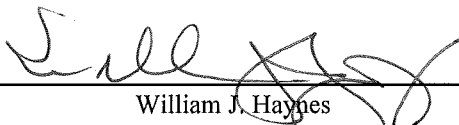
Assistant U.S. Attorney: T. J. Haycox

Defense Attorney: Dale M. Quillen and Michael J. Flanagan

THE COURT ORDERS:

- ☒ No Action *as recommended*
☐ Submit a Petition for Summons
☐ Submit a Petition for Warrant
☐ Other

Considered this 21st day of March, 2013,
and made a part of the records in the above case.



William J. Haynes
Chief U.S. District Judge

I declare under penalty of perjury that the foregoing is true and correct.

Respectfully submitted,



Eric Illarmo
U.S. Probation Officer

Place Nashville, Tennessee

Date March 20, 2013

ALLEGED VIOLATIONS

The probation officer believes that the defendant has violated the following condition(s) of supervision:

Violation No. Nature of Noncompliance

1. The defendant shall not commit another federal state or local crime.

On November 9, 2011, the defendant was arrested by the Metro Police Department and charged with Driving Under the Influence, Violation of Implied Consent Law, and Open Container Violation. As a result of this arrest, on January 4, 2013, the defendant appeared before the local court and was convicted of the amended charge of Reckless Endangerment and Violation of Implied Consent law under Davidson County Docket Number 2012-C-1998. The remaining open container charge was dismissed. He was sentenced to 11 months and 29 days of incarceration, all suspended except 7 days, 11 months and 29 days probation and ordered to pay \$749.10 in fines.

On March 18, 2013, the defendant was arrested by the Smyrna Police Department for leaving the scene of an accident.

Compliance with Supervision Conditions and Prior Interventions:

Mr. David Wayne Porter began his term of supervised release on November 7, 2011, and is currently scheduled to complete his term on November 6, 2016. Approximately two days after his release from prison, Mr. Porter was arrested and charged with DUI, Violation of Implied Consent Law, and Open Container Violation. As a result of this arrest, on January 4, 2013, the defendant was convicted of the amended charge of Reckless Endangerment and Violation of Implied Consent law under Davidson County Docket Number 2012-C-1998. The remaining open container charge was dismissed.

On November 14, 2011, the probation officer referred Mr. Porter to Centerstone Mental Health for substance abuse counseling. He participated in the program on a weekly basis and successfully completed the program on December 4, 2012.


On March 18, 2013, the defendant was arrested by the Smyrna Police Department and charged with Leaving the Scene of an Accident. His next scheduled court date is May 21, 2013. In a subsequent interview with the probation officer, the defendant admitted that this arrest involved the use of alcohol. He expressed the desire for further substance abuse counseling, and he was referred back to Centerstone Mental Health.

Update of Offender Characteristics:

There is no additional information relevant to this section that has not already been provided in this petition.

U.S. Probation Officer Recommendation:

It is recommended that the defendant be continued on probation with no further action taken. This matter has been reported to a representative of the U.S. Attorney's Office, who concurs with the recommendation.

Approved: 
Britton Shelton
Supervisory U.S. Probation Officer